

performed in the maintenance and repair or change of any one of these roads or part thereof, shall be, in the discretion of the supervisor in charge of said roads, subject to the approval of the board of county commissioners."

Highways.

SEC. 15. Amend section sixteen (16) of said chapter by inserting after the word "roads" wherever the same may appear the words "or highways."

Highways.

SEC. 16. Amend section seventeen (17) of said chapter by inserting after the word "road" wherever the same may appear the words "or highways."

Profits of dispensary apportioned.

SEC. 17. Amend section thirty-one (31) of said chapter by adding at the end thereof the following: "And for the purpose of aiding in the construction, maintenance and improvement of said public roads and highways of the said county the commissioners for the dispensary of the city of Raleigh shall make quarterly settlements with the governing body of the said city of Raleigh, and that said governing body shall, within ten (10) days after such settlement, pay *four-tenths* of the net profits of the said dispensary into the treasury of the said city of Raleigh and the other *six-tenths* into the treasury of the county of Wake; and one-half of the amount so paid into the treasury of the county of Wake shall be set aside by the Treasurer of Wake County to the credit of the road fund, to be used in constructing, maintaining and improving the public roads and highways of Wake County, and the other one-half to be set aside by the said county treasurer to credit of the school fund for the use of the public schools of the said county; and section sixteen (16), chapter two hundred and thirty-three (233) of the Public Laws of one thousand nine hundred and three (1903), is hereby amended only in so far as the same may apply to the distribution of the net profits of the Raleigh dispensary, so as to conform herewith."

Petition for cart-way.

SEC. 18. Amend the said chapter five hundred and fifty-one (551) of the Public Laws of one thousand nine hundred and three (1903) by adding after section forty (40) the following: "(a) Any party desiring a cart-way opened up over the lands of other persons may file his petition for the same before the board of county commissioners, through the road supervisor of the township in which such cart-way is to be located, praying for a cart-way to be kept open across such other person's land leading to some public road; and upon his making it appear to the board that the owner or owners of said land, or their legal representatives, have had ten (10) days' notice of his intention, the board shall hear the allegations of the petitioner and the objections, if any, of the owner or owners on their representations, and if sufficient reason be shown shall order the constable or sheriff to summon a jury of five freeholders to view the premises and lay off the cart-way, not less than fourteen feet wide, and assess the damages, if any, the owner of such land may sustain thereby, which, with

Cart-ways laid off.